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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/535,108

10/05/2005

Hans-Kervin Bruins

GIL-16108

3576

7609 7590 05/28/2008
RANKIN, HILL & CLARK LLP
925 EUCLID AVENUE, SUITE 700
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EXAMINER

SOROUGH, ALI

ART UNIT

PAPER NUMBER

1616

MAIL DATE

DELIVERY MODE

05/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10535108	10/5/2005	BRUINS ET AL.	GIL-16108

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EXAMINER

ALI SOROUSH

ART UNIT	PAPER
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1616	20080521
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Commissioner for Patents

The reply filed on 02/14/2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s) See 37 CFR 1.111.: Newly submitted claims 27-28 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The originally examined claims were directed to a composition comprising extracts and/or parts of the plant *Vitex agnus-castus*. The newly presented claims are directed to methods of repelling arthropods. Therefore, the originally presented invention is directed to a product and the newly presented invention is directed to a process of use. It is known in the prior art that compositions comprising extracts of *vitex agnus castus* can be utilized for treating acne. (See Gardiner, Chasteberry (*vitex agnus castus*), Longwood Herbal Task Force, Published 05/11/2000). For the foregoing reasons the newly presented invention is independent and/or distinct from the invention originally claimed.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 28-42 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03. Therefore, no claims remain directed to the constructively elected invention and the reply filed on 02/14/2008 is deemed not fully responsive to the Office Action mailed on 11/15/2007. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

/Sharmila Gollamudi Landau/
Primary Examiner, Art Unit 1611